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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,484	11/30/2000	Tomohisa Yamaguchi	2565-0213P	1704

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EXAMINER

MILORD, MARCEAU

ART UNIT	PAPER NUMBER
2682	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/725,484

Applicant(s)

YAMAGUCHI, TOMOHISA

Examiner

Marceau Milord

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-15, 17 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-15, 17, 20 and 24, 25 is/are allowed.
- 6) ☒ Claim(s) 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 21 and 23 are objected to because of the following informalities: In claim 21, page 8, line 5, "wherein an electronic mail" does not have any antecedent basis; In claim 23, page 9, line 2, "wherein contents of an event of an event" does not have any antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chern et al (US Patent No 6456854 B1) in view of Chern (US Patent No 6609005 B1).

Regarding claim 21, Chern et al discloses a communication system, wherein an electronic mail function is incorporated into a cellular phone, and further the cellular phone is incorporated into or connected to a device for using the cellular phone as a mechanism for communicating

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between the device and a terminal for managing the device (col. 6, line 11-66; col. 7, lines 5-60, col. 7, line 44- col. 8, line 42).

However, Chern et al does not specifically disclose the feature of an electronic mail describing contents of an event is sent to the terminal in case that the event occurs in the device.

On the other hand, Chern, from the same field of endeavor, discloses a system and method for displaying the current street address on the display of a mobile wireless communications device. First, a request is received from a user of the handset to display the mobile phone location. A web browser contained within the phone is navigated to the URL address, and the server at the address parses the latitude and longitude from the URL. The web browser is in communication with the handset over the network and receives the latitude and longitude from the Internet browser (col. 2, line 46- col. 3, line 43). Furthermore, the request is communicated to server over wireless network, along with the user current's location as determined by the position determination system. Server, based on the handset location and user request, retrieves and returns relevant information to handset over network (figs. 2-3; figs. 7-8; col 5, line 27- col. 6, line 62; col. 7, line 12- col. 8, line 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Chern to the system of Chern et al in order to control the position of a device and display the location of a wireless communication device.

Regarding claim 22, Chern et al discloses a communication system, wherein a cellular phone is incorporated into or connected to a device for using the cellular phone as a mechanism for communicating between the device and a terminal for managing the device and operating the device (col. 6, line 11-66; col. 7, lines 5-60; col. 7, line 44- col. 8, line 42).

However, Chern et al does not specifically disclose the feature of a cellular phone that extracts a location of the device by a function of obtaining location data in a cellular phone system.

On the other hand, Chern, from the same field of endeavor, discloses a system and method for displaying the current street address on the display of a mobile wireless communications device. First, a request is received from a user of the handset to display the mobile phone location. A web browser contained within the phone is navigated to the URL address, and the server at the address parses the latitude and longitude from the URL. The web browser is in communication with the handset over the network and receives the latitude and longitude from the Internet browser (col. 2, line 46- col. 3, line 43). Furthermore, the request is communicated to server over wireless network, along with the user current's location as determined by the position determination system. Server, based on the handset location and user request, retrieves and returns relevant information to handset over network (figs. 2-3; figs. 7-8; col 5, line 27- col. 6, line 62; col. 7, line 12- col. 8, line 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Chern to the system of Chern et al in order to control the position of a device and display the location of a wireless communication device

Regarding claim 23 Chern et al discloses a communication system (figs. 1-2), wherein a cellular phone is incorporated into or connected to a device for using the cellular phone as a mechanism for communicating between the device and a terminal for controlling the device (col. 6, line 11-66; col. 7, lines 5-60; col. 7, line 44- col. 8, line 42).

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However, Chern et al does not specifically disclose the feature of a cellular phone, wherein contents of an event are informed by a telephone function of a cellular.

On the other hand, Chern, from the same field of endeavor, discloses a system and method for displaying the current street address on the display of a mobile wireless communications device. First, a request is received from a user of the handset to display the mobile phone location. A web browser contained within the phone is navigated to the URL address, and the server at the address parses the latitude and longitude from the URL. The web browser is in communication with the handset over the network and receives the latitude and longitude from the Internet browser (col. 2, line 46- col. 3, line 43). Furthermore, the request is communicated to server over wireless network, along with the user current's location as determined by the position determination system. Server, based on the handset location and user request, retrieves and returns relevant information to handset over network (figs. 2-3; figs. 7-8; col 5, line 27- col. 6, line 62; col. 7, line 12- col. 8, line 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Chern to the system of Chern et al in order to control the position of a device and display the location of a wireless communication device

Allowable Subject Matter

3. Claim 1-15, 17, 20, 25 are allowed.

Response to Arguments

4. Applicant's arguments filed on October 13, 2004 have been fully considered but they are not persuasive.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 703-306-3023. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARCEAU MILORD

Marceau Milord

Examiner

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MARCEAU MILORD
PRIMARY EXAMINER

2-20-05